Anno Regni

GEORGII II.

REGIS

Magnæ Britaniæ, Franciæ, & Hiberniæ,

DECIMO.

At the Parliament begun and holden at *Weſtminſter*, the 14th Day of *January*, *Anno Dom.* 1734. in the Eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of GOD, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Firſt Day of *February* 1736. being the Third Seſſion of this preſent Parliament.

EDINBURGH,
Printed by JAMES BLAIR and JOHN NAIRN, His Majeſty's Printers, and ſold in their Printing-houſe at the Foot of *Craig's* Cloſs. MDCCXXXVII.

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BRITISH MUSEUM

Anno Decimo

GEORGII II. REGIS.

An ACT for the more effectual bringing to Juſtice any Perſons concerned in the barbarous Murther of Captain John Porteous, *and puniſhing ſuch as ſhall knowingly conceal any of the Offenders.*

WHEREAS upon *Tueſday* the Seventh of *September*, in the Year of Our Lord One thouſand ſeven hundred and thirty ſix, great Numbers of wicked, deſperate, and blood-thirſty Perſons of moſt deteſtable Principles, unlawfully aſſembled within the City of *Ediuburgh*, in that Part of *Great Britain* called *Scotland*, Preamble.

with open Force and Violence ſeized the Arms of the City Guard, poſſeſſed themſelves of the City Gates, broke open the Door of the *Tolbooth* of the ſaid City, and laid violent Hands upon Captain *John Porteous* then a Priſoner there under Sentence of Death, but graciouſly reprieved by the Queen's moſt Excellent Majeſty as Guardian of the Realm, and having in a cruel Manner dragged him from the ſaid Priſon, hanged him by the Neck, and barbarouſly murdered him, in manifeſt Violation of the publick Peace, in Defiance and Subverſion of legal Government, in high Contempt of our Sovereign Lord the King, and his Laws, and to the moſt preſumptuous and unparallelled Obſtruction of the Royal Mercy: And whereas many of the wicked and deſperate Perſons acting, aiding, and aſſiſting in committing the ſaid Outrages, Riot, and barbarous Murther, have abſconded and fled, to avoid their being brought to Juſtice: And whereas upon Diſcoveries already made, Criminal Letters under the Seal of the Court of Juſticiary in that Part of *Great Britain* called *Scotland*, have been raiſed and executed againſt ſeveral of the ſaid Perſons; and, upon fur-

further Diſcovery, the like Proceſs may be iſſued out of the ſaid Court againſt others who have likewiſe withdrawn themſelves; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons, againſt whom (for any of the Offences aforeſaid) Criminal Letters iſſuing out of the ſaid Court of Juſticiary have been, or hereafter may be raiſed and executed, ſhall, in due Courſe of Law, be declared Fugitive, on or before the firſt Day of *May*, in the Year One thouſand ſeven hundred and thirty eight, for not appearing to abide his or their legal Trial, and ſhall not render him or themſelves to One or more of the Judges of the ſaid Court of Juſticiary, within the Space of Twelve Kalendar Months, from and after the Day of pronouncing the reſpective Sentence or Sentences of Fugitation againſt them, ſuch Perſon or Perſons ſhall ſtand attainted of Felony, to all Intents and Purpoſes, and ſhall ſuffer and incur Pains of Death, and Confiſcation of Moveables.

Fugitives not furrendring themſelves to ſuffer Death.

Pro-

Upon their Surrendry to be committed to ſafe Cuſtody, &c.

Provided always, That if any Perſon or Perſons, againſt whom ſuch Sentence of Fugitation ſhall be pronounced as aforeſaid, ſhall ſurrender him or themſelves within the ſaid Twelve Months after ſuch Sentence of Fugitation ſhall be pronounced, then, and in ſuch Caſe, the Judge or Judges of the ſaid Court of Juſticiary ſhall, and they are hereby impowered, authorized, and required to iſſue his or their Warrant or Warrants for committing ſuch Perſon or Perſons to ſafe Cuſtody, there to remain until they are diſcharged by due Courſe of Law; and thereof to give Notice immediately to One of His Majeſty's principal Secretaries of State, and to His Majeſty's Advocate for *Scotland* for the Time being, or his Deputy.

Perſons concealing them to ſuffer Death.

And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons in that Part of *Great Britain* called *Scotland*, who, after the Times appointed for the Surrender of the Perſons declared Fugitive as aforeſaid, are expired, ſhall conceal, aid, abet, or ſuccour them, or any of them, who ſhall not have rendred themſelves in Manner aforeſaid, knowing him or them

to

to be ſo declared Fugitive, being thereof lawfully convicted, ſhall be puniſhed with the Pains of Death, and Confiſcation of Moveables.

And to the End that this Act may be the better notified, and that none may pretend Ignorance thereof, be it further enacted by the Authority aforeſaid, That this Act ſhall be read in every Pariſh Church throughout that Part of *Great Britain* called *Scotland*, on the firſt *Sunday* or *Lord's Day* in every Month for one whole Year, from the firſt Day of *Auguſt*, in the Year One thouſand ſeven hundred and thirty ſeven, by the Miniſter of the Pariſh, or ſuch Miniſter as ſhall preach in ſuch Pariſh Church, reſpectively, on ſuch *Sunday* or *Lord's Day* in the Morning, immediately before the Sermon; and in caſe ſuch Miniſter ſhall neglect to read this Act, as is hereby directed, he ſhall for the firſt Offence be declared incapable of ſitting or voting in any Church Judicature; and for the ſecond Offence, be declared incapable of taking, holding, or enjoying any Eccleſiaſtical Benefice in that Part of *Great Britain* called *Scotland*; and that the ſaid Offenders may be proſecuted by ſummary Complaint to the Court of Seſſion

This Act to be read firſt *Sunday* of every Month in the Churches of *Scotland*.

Seſſion, or by Proceſs before any Court of Juſticiary at the Inſtance of His Majeſty's Advocate.

And for the more effectual diſcovering, apprehending and bringing to Juſtice any Perſon or Perſons concerned in the ſaid Riot and barbarous Murther, be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons concerned in the ſaid outragious Riot and Murther ſhall, before the firſt Day of *February* next, diſcover and apprehend, or cauſe to be apprehended, any other Perſon or Perſons who hath or have been guilty of the ſaid Offences, ſo as the Perſon or Perſons ſo diſcovered, ſhall be convicted of the ſaid Riot and Murther, every ſuch Perſon or Perſons making ſuch Diſcovery, ſhall be freed and diſcharged from all Proſecution had or to be had concerning the ſame.

Clauſe in favour of Impeachers.

And as a further Encouragement to ſuch diſcovering, apprehending, and convicting of any of the ſaid Offenders, be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall, before the ſaid firſt Day of *February* next, diſcover and apprehend, or cauſe to be apprehended, any of the Perſons concerned in the

Reward for Informers.

the ſaid Riot and Murther, ſo as he, ſhe, or they be convicted thereof, ſhall have and receive for every Perſon ſo diſcovered, apprehended, and convicted, the Sum of Two hundred Pounds *Sterling*, to be paid out of any of His Majeſty's Revenues.

Who may be Witneſſes.

Provided always, and it is hereby further enacted, That the Perſon or Perſons making ſuch Diſcovery, and intitled to ſuch Reward as aforeſaid, ſhall not thereby be diſabled to be a Witneſs againſt the Perſon or Perſons upon whoſe Conviction or Convictions ſuch Reward ſhall become due; any Law, Uſage, or Determination to the contrary thereof in any wiſe notwithſtanding.

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